

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

GREATER PENNSYLVANIA  
CARPENTERS PENSION FUND,

Plaintiff,

vs.

Case No. 1:23cv028  
Judge Michael R. Barrett

CHEMED CORP., KEVIN McNAMARA,  
DAVID WILLIAMS, and TIM O'TOOLE,

Defendants.

**ORDER**

For GOOD CAUSE SHOWN, the Parties' Joint Motion to Establish Pre-Trial Litigation Procedures and Filing Deadlines (Doc. 21) is found to be well-taken and is hereby GRANTED. The Parties shall abide by the following pre-trial litigation procedures and filing deadlines:

1. Defendants each waive service of a summons, in accordance with Rule 4(d) of the Federal Rules of Civil Procedure.
2. Defendants shall have no obligation to move against, answer or otherwise respond to the current Complaint, dated January 12, 2012, until after the appointment of Lead Plaintiff(s) and Lead Counsel in this action, in accordance with the schedule set forth herein.
3. Following entry of an Order appointing Lead Plaintiff(s) and Lead Counsel in this action, Lead Plaintiff(s) shall have sixty (60) days within which to file and serve an amended complaint: **June 11, 2012**
5. Status Conference: **June 26, 2012 at 9:30 am by telephone; parties shall initiate contact with the Court by calling 513-564-7660 five minutes prior to 9:30 am.**
5. Defendants shall have sixty (60) days from either (a) filing of an amended complaint, if one is filed; or (b) the expiry of the sixty-day period described in paragraph 3 above, if no amended complaint is filed, to move against, answer or otherwise respond to the then-operative complaint in this action.
6. In the event that Defendants move to dismiss the then-operative complaint, Lead Plaintiff(s) shall have sixty (60) days from the filing of such motions to file and serve any brief in opposition. Defendants shall have thirty (30) days from filing of such brief in opposition to file and serve any briefs in reply.
7. In accordance with the automatic stay of discovery during the pendency of any motions to dismiss provided for by the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b)(3)(B), the parties agree that all discovery-related matters, including, but not limited to, the discovery conference, joint discovery plan and initial

disclosures provided for by Fed. R. Civ. P 26(a)(1) and 26(f) and the Court's Trial Procedure Order, shall be stayed until after the Court rules upon Defendants' motion(s) to dismiss, unless the Court finds, upon the motion of any party, that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party.

**IT IS SO ORDERED.**

*S/Michael R. Barrett*

Michael R. Barrett  
United States District Judge